ASARCO Incorporated
2575 E. Camelback Road, Ste. 500
Phoenix, Arizona 85016-4240

FAX Cover Sheet   July 22, 2004

To:	Matt Cohn
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Number of Pages Including Cover Sheet:	2

Comments:

Per my voice mail – extension of interim access agreement.

Voluntary Consent to Access Property
Fifth Interim Agreement

The United States Environmental Protection Agency Region 8 (EPA) and ASARCO Incorporated (Asarco) previously executed on March 29, 2004 and April 8, 2004 an Interim Agreement for Voluntary Consent to Access Property for the Asarco Globe Plant (the "Old Agreement"). The Old Agreement is attached and incorporated by reference as Exhibit 1. In second, third and fourth agreements, executed by Asarco on May 3, 2004, May 19, 2004 and July 14, 2004, respectively, the parties effectively extended the terms of the Old Agreement until July 23, 2004. In this Fifth Interim Agreement, the Parties now further extend the Old Agreement until July 30, 2004, to allow for completion of negotiations on a consent decree. Payment shall be due by September 23, 2004 if agreement is not reached by the July 30 deadline, unless further extensions are mutually agreed to by the Parties to this Fifth Interim Agreement.

The undersigned representatives of each Party to this Agreement certify that he or she is fully authorized to enter into this Agreement of behalf of EPA and Asarco, respectively.

EPA:

By: _____   Date: _____

ASARCO Incorporated:

By: _____   Date: _July 22, 2004_

By: _____   Date: _7/22/04_